Office-Supreme Court, U.S.
FILED
SEP 30 1966
JOHN F. DAVIS, CLERK

No. 574

IN THE

Supreme Court of the United States

OCTOBER TERM, 1966

DAVID MASLOWSKY, GEORGE CHRISTOPHER, SAM J. KAPLAN, F. W. SCHELLENBERGER, IRVING L. GOTTLIEB and BARBARA SLOVE,

Appellants,

vs.

JOHN E. CASSIDY, JR., Chairman, PAUL F. ELWARD, ALBERT W. HACHMEISTER, CECIL A. PARTEE, THOMAS F. RAILSBACK and GEORGE M. BURDITT, Members of the Illinois House of Representatives Commission, created under House Bill 2269, 74th Illinois General Assembly,

Appellees.

On Appeal From The Supreme Court Of
The State Of Illinois.

MOTION BY APPELLEES TO AFFIRM OR DISMISS FOR WANT OF A SUBSTANTIAL FEDERAL QUESTION

OWEN RALL
135 South LaSalle Street
Chicago, Illinois 60603
Attorney for Appellees

Of Counsel:
PETERSON, LOWRY, RALL, BARBER & ROSS
135 South LaSalle Street
Chicago, Illinois 60603

McCORMICK & HENDERSON, INC., CHICAGO

TABLE OF CONTENTS

	PAGE
Motion to Affirm or Dismiss	1
Brief in Support of Motion	3
Statement of Case	3
Argument:	
I. House Bill 2269 Under Which Appellees Are Commissioned Shows a Clearly Legitimate Legislative Purpose for the Investigation of the Tape Recordings	7
II. Because the Proposed Legislative Inquiry is a Proper one, no Court Should Interfere with the Legislative Commission by Imposing a Prior Restraint on its Investigation	13
III. No Substantial Federal Question Which is Ripe for Decision is Involved in the Present Case	14

Table of Authorities Cited

Constitutional Provisions of Illinois:	
Article IV, Sections 4 and 5	8
Article IV, Section 9	8
Article IV, Section 24	8
Article V, Section 15	7
Statutory Provisions of Illinois:	
House Bill 2269	7
Illinois Eavesdropping Act (Ill. Rev. Stat. 1965, Chap. 38, Criminal Code, §14—1)	15

PAGE

Ill. Rev. Stat. 1965, Chapter 63, General Assembly, § 6 16

Federal Statutes:

U. S. Code, Tit. 2, § 193 16

Table of Cases

Barenblatt v. United States, 360 U.S. 109, 111 (1959) .. 9

Re Chapman, 166 U.S. 661 (1897) 9, 10

DuBois v. Gibbons, 2 Ill.2d 392, 118 N.E.2d 295 (1954) 12

Fischler v. McCarthy, 117 F. Supp. 643 (S.D. N.Y. 1954) 13

Greenfield v. Russel, 292 Ill. 392, 127 N.E. 102 (1920) .. 12

Kilbourn v. Thompson, 103 U.S. 168, 27 L. ed. 377 (1881) 9, 11

McGrain v. Daugherty, 273 U.S. 135 (1927) 9, 12

Mins v. McCarthy, 209 F.2d 307 (C.A.,D. of C., 1953) .. 13

Pauling v. Eastland, 288 F.2d 126 (D.C. Cir. 1960), cert. denied 364 U.S. 900 13

Rice v. Sioux City Cemetery, 349 U.S. 70 (1955) 14

Sinclair v. United States, 279 U.S. 263 (1929) 9, 12

Tenney v. Brandhove, 341 U.S. 367 (1951) 9, 11

IN THE

Supreme Court of the United States

OCTOBER TERM, 1966

No. 574

DAVID MASLOWSKY, GEORGE CHRISTOPHER, SAM J. KAPLAN, F. W. SCHELLENBERGER, IRVING L. GOTTLIEB and BARBARA SLOVE,

Appellants,

vs.

JOHN E. CASSIDY, JR., Chairman, PAUL F. ELWARD, ALBERT W. HACHMEISTER, CECIL A. PARTEE, THOMAS F. RAILSBACK and GEORGE M. BURDITT, Members of the Illinois House of Representatives Commission, created under House Bill 2269, 74th Illinois General Assembly,

Appellees.

On Appeal From The Supreme Court Of The State Of Illinois.

MOTION BY APPELLEES TO AFFIRM OR DISMISS FOR WANT OF A SUBSTANTIAL FEDERAL QUESTION

Now Come the Appellees, John E. Cassidy, Jr., Chairman, Paul F. Elward, Albert W. Hachmeister, Cecil A. Partee,

Thomas F. Railsback and George M. Burditt, Members of the Illinois House of Representatives Commission, created under House Bill 2269, and respectfully move the Court to dismiss the above appeal or to affirm the judgment of the Supreme Court of Illinois for want of a substantial Federal question in support of which the Appellees submit their brief herewith.

Dated this 30th day of September, 1966.

OWEN RALL
Attorney for Appellees

IN THE

Supreme Court of the United States

OCTOBER TERM, 1966

No. 574

DAVID MASLOWSKY, GEORGE CHRISTOPHER, SAM J. KAPLAN, F. W. SCHELLENBERGER, IRVING L. GOTTLIEB and BARBARA SLOVE,

Appellants,

VS.

JOHN E. CASSIDY, JR., Chairman, PAUL F. ELWARD, ALBERT W. HACHMEISTER, CECIL A. PARTEE, THOMAS F. RAILSBACK and GEORGE M. BURDITT, Members of the Illinois House of Representatives Commission, created under House Bill 2269, 74th Illinois General Assembly,

Appellees.

On Appeal From The Supreme Court Of The State Of Illinois.

BRIEF OF APPELLEES IN SUPPORT OF MOTION TO AFFIRM OR DISMISS FOR WANT OF A SUBSTANTIAL FEDERAL QUESTION

STATEMENT OF THE CASE

MAY IT PLEASE THE COURT:

The right of the Illinois legislative commission to conduct without judicial interference an investigation com-

manded by a statute which was passed by the unanimous vote of both houses of the legislature is emphasized by the nature of the tape-recorded conversations which make the investigation necessary.

Owing to the trial court injunction of August 30, 1965, which the Supreme Court of Illinois has held erroneous, the Commission has been prevented from listening to the tape recordings, so that the sole evidence—if it can be called evidence—is the newspaper report of the conspiratorial hotel room conversations of Appellants Maslowsky, Kaplan and Christopher.

A greatly reduced photocopy of the newspaper account is contained in the gray covered abstract of record brought up from the companion grand jury case in the Illinois Supreme Court, Gen. No. 39526, at pages 18, 19 and 20. However, the pages are not in proper sequence (pages 19 and 20 should be transposed) and the type face is much too small for convenient reading. We have, therefore, appended to this brief as Appendix No. 3 (Appendix, pp. 5 *et seq.*) a copy of the newspaper text of the tape-recorded conversations.

Rather than wrest the most significant passages of these conversations out of context by quoting them in this brief, we have marked in Appendix 3 portions of the text to which we call this Court's particular attention. We respectfully refer the Court to these marked portions which show beyond question, if accurate, that the participating Appellants had on previous occasions bribed members of the Illinois legislature and were in the process of bribing, or attempting to bribe, members of the legislature in order to defeat proposed legislation harmful to the businesses of the members of the Chicago Currency Exchange Asso-

ciation of which association these Appellants were officers and for which they were lobbyists.

Furthermore, one or more state officers were mentioned in the alleged conversations of these Appellants in connection with the Appellants' efforts to defeat legislation. To say the least, the part being played by state officers, as indicated by the recorded conversations, calls for inquiry under the legislature's sole power to remove state officers by impeachment.

Since the injunction of August 30, 1965, the Appellees held but one hearing, on November 5, 1965 (Excerpts from Record, 103). At that hearing the Commission heard the voluntary testimony of three witnesses in an attempt to ascertain just how the tapes came into the hands of the newspaper reporter, whether the published excerpts were accurate and, if possible, how the tape recordings were made.

For conducting this hearing all of the Appellees were held guilty of contempt of the trial court, on petition of the Appellants. There has been no imposition of punishment. Under well-established practice, the contempt order is not appealable unless and until punishment is imposed. The reference made herein to the contempt case is to emphasize the important fact that the trial court injunction which Appellants seek to have affirmed by this Court does not simply control the legislative commission here involved but completely, finally, and (we submit) unlawfully prevents the Appellees from carrying out any of their statutory duties.

No evidence of any physical invasion (by a stake microphone or otherwise) of the hotel room rented by the Appellants was offered in the trial court in support of either

the grand jury injunction of July 14, 1965, or the injunction against the Commission entered August 30, 1965. The only evidence relating to this subject was later received by the Commission itself in the hearing above mentioned and was brought before the trial court by the Appellants in their successful effort to have the members of the Commission held in contempt of court. It was this important evidence obtained by the Commission in a hearing denounced by the Appellants' counsel as contemptuous which Appellants now seek to use to prove that their constitutional rights were violated in the making of the tape recordings.

ARGUMENT

I.

House Bill 2269 Under Which Appellees are Commissioned Shows a Clearly Legitimate Legislative Purpose for the Investigation of the Tape Recordings.

House Bill 2269 set forth in full in the Appellants' Appendix 6 (Juris. Statmt., App. 26-29) refers specifically to the tape recordings and transcripts involved in this case. The bill recognizes that the "serious reflections upon the integrity" of civil officers of the State, including members of the General Assembly, cast by the tape recordings and transcripts, compel the General Assembly "to immediately determine the truth of the matters contained in said tape recordings and transcripts thereof in order that it may, if necessary, exercise and perform the powers, duties, and responsibilities placed upon it by the Constitution of this State".

The House legislative commission of six members provided by the statute is, among other things, expressly directed to "investigate the background, allegations and charges arising out of the information contained in tape recordings and transcripts thereof which were delivered to the State's Attorney of Sangamon County on Wednesday, June 23, 1965, insofar as they reflect upon or involve civil officers of the State whether they be members of the General Assembly or not, or any prior or further such tape, allegation or charge".

The statute also refers to the constitutional duty of the Illinois General Assembly under section 15 of Article V

(impeachment of any civil officer of the State), under section 9 of Article IV (expulsion of a member), under section 24 of Article IV (impeachment by the House; trial by the Senate), and also to the self-executing provisions of sections 4 and 5 of Article IV concerning disqualifications of membership in the General Assembly if guilty of bribery. All of the above constitutional provisions are set out in our Appendix No. 1.

The purpose of the legislative inquiry is further set forth in subsections (b) and (f) of section 1 of the statute:

> "b. To examine the various alternative courses of action available to the General Assembly in connection with the foregoing allegations and charges whether they be provided in the Constitution or otherwise."
>
> "f.(1) To recommend to the Governor of this State the convening of the General Assembly in extraordinary session for whatever specific purpose the investigation of the Commission appears to warrant."

H.B. 2269 calls for investigation of published and widely circulated allegations of corruption in offices of the state government. If these allegations are left unanswered, the governmental institutions of Illinois will be degraded in the public mind. The General Assembly recognized by the unanimous vote of both of its houses that if published charges were true, there was an immediate necessity of punishing by impeachment, expulsion or censure, those state officers, including its own members, whose conduct would bring reproach to state office. If, on the other hand, the charges were untrue, unfounded and but an irresponsible act of sensationalism, that fact also should be made crystal clear. In short, the legislature had and assumed the responsibility of vindicating governmental institutions and restoring public confidence in governmental operation.

Without any doubt this statute carries out a valid legislative function. The facts stated in the statute itself make self-evident not only a *permissive* legislative purpose, but the *essential legislative necessity of self-preservation.* Unless this sort of inquiry be proper there is no way to vindicate the institutions of sovereign government, and, consequently, no way for democracy through a republican form to endure.

That the legislature has ample power to conduct its inquiries without judicial interference is amply supported by precedent.

Leading cases of this Court fully sustain the legislative power to conduct inquiries, which power has been similarly approved by the Illinois Supreme Court:

Kilbourn v. *Thompson,* 103 U.S. 168 (1881), holding that the investigation in that case was improper because judicial, not legislative, but refusing to hold members of the congressional committee liable, although their sergeant-at-arms, Thompson, was held liable.

Re Chapman, 166 U.S. 661 (1897), discussed below.

McGrain v. *Daugherty,* 273 U.S. 135 (1927).

Sinclair v. *United States,* 279 U.S. 263 (1929), Senate Teapot Dome investigation.

Tenney v. *Brandhove,* 341 U.S. 367 (1951), discussed below, and

Barenblatt v. *United States,* 360 U.S. 109, 111 (1959), sustaining a conviction for refusal to answer questions of a subcommittee of the House Un-American Activities Committee.

Re Chapman, 166 U.S. 661 (1897), above, is particularly applicable to the case at bar. In that case, there had been published newspaper reports that members of the United

States Senate were yielding to corrupt influences in consideration of a tariff measure. A Senate committee was created to investigate. Petitioner, a stockbroker, refused to answer whether or not his firm had bought or sold stock for or in the interest of any senator. He challenged by habeas corpus the legislative power to conduct such an inquiry. This Court, by Mr. Chief Justice Fuller, rejected the challenge, stating in part (p. 668):

> "Under the Constitution the Senate of the United States has the power to try impeachments; to judge of the elections, returns, and qualifications of its own members; to determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two thirds, expel a member; and it necessarily possesses the inherent power of self-protection.
>
> "According to the preamble and resolutions, the integrity and purity of the members of the Senate had been questioned in a manner calculated to destroy public confidence in the body, and in such respects as might subject members to censure or expulsion. The Senate, by the action taken, signifying its judgment that it was called upon to vindicate itself from aspersion and to deal with such of its members as might have been guilty of misbehavior and brought reproach upon it, obviously had jurisdiction of the subject-matter of the inquiry it directed and power to compel the attendance of witnesses, and to require them to answer any question pertinent thereto. And the pursuit of such inquiry by the questions propounded in this instance was not, in our judgment, in violation of the security against unreasonable searches and seizures protected by the 4th Amendment."

The inquiry here directed is wholly within the authority of these cases, particularly *Chapman*. A metropolitan newspaper of large circulation published reports of cor-

rupt influences said to be at work in connection with the currency exchange measure. The newspaper listed and described more than 70 state officials, some of whom, by its own account, were not subject to charges (Appendix No. 3, below). The Illinois General Assembly, like Congress, has the sole power and responsibility to present impeachments of all civil officials and to punish and expel its members.

Not only is a legislative branch accorded the right to hold inquiries, but its committees and commissions have the same rights as the legislature itself: *Kilbourn* v. *Thompson,* 103 U.S. 168, 26 L. ed. 377, at 390-392 (1881). The members of state legislative committees have complete immunity from suit, even under the Federal Civil Rights Act: *Tenney* v. *Brandhove,* 341 U.S. 367 (1951).

In *Brandhove,* Mr. Justice Felix Frankfurter (speaking for seven members of the Court) after discussing the history of legislative immunity, stated in part (pp. 377-378; footnotes omitted):

> "Investigations, whether by standing or special committees, are an established part of representative government. Legislative committees have been charged with losing sight of their duty of disinterestedness. In times of political passion, dishonest or vindictive motives are readily attributed to legislative conduct and as readily believed. Courts are not the place for such controversies. Self-discipline and the voters must be the ultimate reliance for discouraging or correcting such abuses. The courts should not go beyond the narrow confines of determining that a committee's inquiry may fairly be deemed within its province. To find that a committee's investigation has exceeded the bounds of legislative power it must be obvious that there was a usurpation of functions exclusively vested in the Judiciary or the Executive.

The present case does not present such a situation.

* * *

"It should be noted that this is a case in which the defendants are members of a legislature. Legislative privilege in such a case deserves greater respect than where an official acting on behalf of the legislature is sued or the legislature seeks the affirmative aid of the courts to assert a privilege. In Kilbourn v. Thompson, 103 U.S. 168, 26 L. ed. 377, *supra*, this Court allowed a judgment against the Sergeant-at-Arms, but found that one could not be entered against the defendant members of the House."

The Supreme Court of Illinois has followed these federal Congressional cases in determining rights of state and municipal legislative bodies:

Greenfield v. *Russel*, 292 Ill. 392, 127 N.E. 102 (1920), holding (p. 398) that an investigation lacking a legislative objective was beyond the power of the General Assembly, but also (p. 400) "that a State legislature has power to obtain information upon any subject upon which it has power to legislate."

DuBois v. *Gibbons*, 2 Ill.2d 392, 118 N.E.2d 295 (1954), sustaining the power of a city council committee on crime to compel a witness to testify, citing and following *McGrain* v. *Daugherty*, 273 U.S. 135, and *Sinclair* v. *United States*, 279 U.S. 263, and stating (p. 412):

"The power and authority of legislative bodies to conduct investigations through committees has been recognized by the courts and is now well established."

II.

Because the Proposed Legislative Inquiry is a Proper One, no Court should Interfere with the Legislative Commission by Imposing a Prior Restraint on its Investigation.

We submit that there is no precedent for a prior restraint on a proper legislative inquiry such as House Bill 2269 directs the Appellees to make. There is strong precedent to the contrary, *e.g.*:

> *Mins* v. *McCarthy*, 209 F.2d 307 (C.A., D. of C., 1953);
>
> *Fischler* v. *McCarthy*, 117 F. Supp. 643 (S.D. N.Y., 1954), affirmed for want of venue of the district court, 218 F.2d 164 (C.A. 2, 1954);
>
> *Pauling* v. *Eastland*, 288 F.2d 126 (D.C. Cir. 1960), certiorari denied 364 U.S. 900.

The opinion of Judge Irving R. Kaufman in the *Fischler* case is outstanding and we respectfully refer to entire Point III of that opinion (pp. 647-650). The district court there held that it had no right, even under the Federal Declaratory Judgment Act, to determine the legality of a subpoena duces tecum issued by Senator Joseph R. McCarthy as chairman of a Senate subcommittee. It held (p. 648):

> "Were a court empowered to limit in advance the subject matter of Congressional investigations, violence would be done to the principle of separation of powers upon which our entire political system is based."

In *Pauling* v. *Eastland*, 288 F.2d 126 (D.C. Cir., 1960) certiorari denied 364 U.S. 900, the court declared (pp. 128, 129):

> "It seems quite clear that as a matter of basic general principle a court cannot interfere with or impede

the processes of the Congress by proscribing anticipatorily its inquiries. This is so not only from the viewpoint of the Constitutional separation of powers between two branches of the Government but also from the practical viewpoint of simple procedural efficiency.

• • •

"... The separation of powers principle is one of the basic concepts of the Constitution. The courts have no power of interference, unless and until some event, such as arrest, indictment or conviction, brings an actual controversy into the sphere of judicial authority. The courts cannot interfere merely upon the petition of a person potentially liable to some such event."

The Federal courts ought not to be any less considerate of state legislatures, acting within their proper sphere, than they are of Congress. Granted that this Court has the undoubted power to apply an anticipatory restraint on the Commission, it ought not under the circumstances of this case to exercise it. As shown under Point III, the interest of the Appellants is only in preventing further embarrassment to themselves and their Currency Exchange Association. Balanced against this must be considered the imperative duty of the Commission to get to the bottom of charges which have been widely publicized and which cast serious public doubt on the integrity of Illinois state government.

III.

No Substantial Federal Question Which is Ripe for Decision is Involved in the Present Case.

Although counsel for the Appellants throughout their very able and voluminous jurisdictional statement have labelled their contentions "important Federal constitutional questions" or "substantial Federal constitutional questions", the language of Mr. Justice Frankfurter speaking for this court in *Rice* v. *Sioux City Cemetery*, 349 U.S.

70 (1955), in discussing the substantiality requirements for certiorari, is particularly appropriate here (p. 74):

> "A federal question raised by a petitioner may be 'of substance' in the sense that, abstractly considered, it may present an intellectually interesting and solid problem. But this Court does not sit to satisfy a scholarly interest in such issues. Nor does it sit for the benefit of the particular litigants."

The only possible justification that the Appellants ever had for a court proceeding involving the legislative inquiry is their contention that the Illinois Eavesdropping Act gave them a right to an injunction. Since the specific statute (H.B. 2269) relating to these tape recordings released the members of the Commission from any fetters which might have been imposed upon them by the Act of a previous General Assembly, the last vestige of any right to an injunction on the part of the Appellants disappears.

Important constitutional questions should not be decided in a vacuum. The fact that Appellants, their families, and the Currency Exchange Association will be embarrassed by disclosures that recorded voices of the Appellants indicated bribery of legislators and indicated plans of additional bribery if necessary to defeat legislation unfriendly to their businesses is no ground from which to launch a constitutional attack. It will be time enough to decide what use, if any, can be made of the tape recordings in a criminal proceeding, in impeachment proceedings or in expulsion proceedings, if and when they form the basis for such proceedings. In the meantime, the Commission should be free to pursue its inquiry as to every aspect of the charges against public officials resulting from the widely-published excerpts from the tapes and the tapes themselves, notwithstanding any self-earned disgrace which such an inquiry may visit upon the Appellants.

The legislative investigation is not a criminal prosecution and there is ample evidence from the Illinois Supreme Court's opinion affirming the order in the companion grand jury case that these tape recordings cannot be the basis of a criminal prosecution against the Appellants.

There is involved in the present case no question of restraint of the Appellants, no question of self-incrimination, no question other than the right of the legislature to investigate in all of its facets widely-circulated charges involving the integrity of public officials, including members of the General Assembly.

The only injury to the Appellants from a full legislative inquiry would be the disgrace which they have well earned. Whether earned or not, this disgrace is one which they must suffer because any burden of that nature is one which an individual must bear for the common good.

Section 6, Chapter 63, Illinois Revised Statutes, 1965, expressly provides in part, that

> "* * * no witness shall hereafter be allowed to refuse to testify to any fact, or to produce any paper touching which he shall be examined by either house, or by any of the committees, for the reason that his testimony touching such fact, or the production of such paper, may tend to disgrace him or render him infamous: * * *"

The corresponding provision of the United States Code is similar (U.S. Code, Tit. 2, § 193):

> "No witness is privileged to refuse to testify to any fact, or to produce any paper, respecting which he shall be examined by either House of Congress, or by any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or by any committee of either House, upon the ground that

his testimony to such fact or his production of such paper may tend to disgrace him or otherwise render him infamous."

Since a witness is not permitted to refuse to testify because his testimony will either disgrace him or render him infamous, how much truer it is that Appellants whose voices have been taped, apparently without their knowledge, have no right to prohibit a legislative investigation of the tapes because of the self-induced disgrace which such examination might entail.

It is not now our contention, as it was in the court below, that the Appellants have no standing to challenge the use of the tape recordings because they did not admit or prove that the voices thereon were theirs. They have admitted and the Supreme Court of Illinois has found that the Appellants are the ones whose voices are recorded on the tapes and whose purported conversations were published in a Chicago metropolitan newspaper of large circulation (see Appendix 3, App. 5 *et seq.*, below).

Appellants' arguing that miscreants who have had the misfortune to have their conspiratorial conversations recorded secretly may prevent any investigation whatsoever of widely-published charges against legislators and other state officials resulting from these secret recordings and thereby immunize public officials in the process reduces well-nigh to an absurdity the position of the Appellants in this case.

We submit that the legislative inquiry which these Appellees (whose terms expire early in January, 1967) are directed to make has already been delayed too long, that the alleged constitutional questions are not substantial, and that the judgment of the Supreme Court of Illinois should

either be affirmed promptly or the appeal be dismissed for want of a substantial Federal question.

Respectfully submitted,

OWEN RALL
135 South LaSalle Street
Chicago, Illinois 60603
Attorney for the Appellees

Of counsel:
PETERSON, LOWRY, RALL, BARBER AND ROSS
135 South LaSalle Street
Chicago, Illinois 60603

September 30, 1966

APPENDIX 1

CONSTITUTION OF ILLINOIS, 1870.

ARTICLE III.

DISTRIBUTION OF POWERS.

The powers of the government of this State are divided into three distinct departments—the legislative, executive and judicial; and no person, or collection of persons, being one of these departments, shall exercise any power properly belonging to either of the others, except as hereinafter expressly directed or permitted. [Ill. Rev. Stat., 1965, p. 12].

ARTICLE IV.

LEGISLATIVE DEPARTMENT

§ 4. No person who has been, or hereafter shall be convicted of bribery, perjury or other infamous crime, nor any person who has been or may be a collector or holder of public moneys, who shall not have accounted for and paid over, according to law, all such moneys due from him, shall be eligible to the General Assembly, or to any office of profit or trust in this State. [Ill. Rev. Stat. 1965, p. 12].

§ 5. Members of the General Assembly, before they enter upon their official duties, shall take and subscribe the following oath or affirmation:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Illinois, and will faithfully discharge the duties of Senator (or Representative) according to the best of my ability; and that I have not, knowingly or intentionally, paid or contributed anything, or made any prom-

Appendix 1 (Continued)

ise in the nature of a bribe, to directly or indirectly influence any vote at the election at which I was chosen to fill the said office, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing, from any corporation, company or persons, for any vote or influence I may give or withhold on any bill, resolution or appropriation, or for any other official act."

This oath shall be administered by a judge of the supreme or circuit court in the hall of the house to which the member is elected, and the Secretary of State shall record and file the oath subscribed by each member. Any member who shall refuse to take the oath herein prescribed shall forfeit his office, and every member who shall be convicted of having sworn falsely to, or of violating, his said oath, shall forfeit his office and be disqualified thereafter from holding any office of profit or trust in this State. [Ill. Rev. Stat. 1965, p. 12].

§ 9. * * * No member shall be expelled by either house, except by a vote of two-thirds of all the members elected to that house, and no member shall be twice expelled for the same offense. Each house may punish by imprisonment any person, not a member, who shall be guilty of disrespect to the house by disorderly or contemptuous behavior in its premises. But no such imprisonment shall extend beyond twenty-four hours at one time, unless the person shall persist in such disorderly or contemptuous behavior. [Ill. Rev. Stat. 1965, p. 13].

§ 14. Senators and representatives shall, in all cases, except treason, felony or breach of the peace, be privileged from arrest during the session of the general assembly, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place. [Ill. Rev. Stat. 1965, p. 14].

Appendix 1 (Continued)

§ 24. The House of Representatives shall have the sole power of impeachment; but a majority of all the members elected must concur therein. All impeachments shall be tried by the Senate; and when sitting for that purpose, the Senators shall be upon oath, or affirmation, to do justice according to law and evidence. When the Governor of the State is tried, the Chief Justice shall preside. No person shall be convicted without the concurrence of two-thirds of the Senators elected. But judgment, in such cases, shall not extend further than removal from office, and disqualification to hold any office of honor, profit or trust under the government of this State. The party, whether convicted or acquitted, shall, nevertheless, be liable to prosecution, trial, judgment and punishment according to law. [Ill. Rev. Stat. 1965, p. 15].

ARTICLE V

EXECUTIVE DEPARTMENT

§ 15. The Governor, and all civil officers of this State, shall be liable to impeachment for any misdemeanor in office. [Ill. Rev. Stat. 1965, p. 16].

APPENDIX 2

GOVERNOR'S MESSAGE — APPROVING H. B. 2269

With the exception of Section 2 making an appropriation

STATE OF ILLINOIS

EXECUTIVE OFFICE

SPRINGFIELD

OTTO KERNER — GOVERNOR

July 21, 1965

To the Honorable
The Secretary of State

I herewith file in your office House Bill No. 2269 entitled, "An Act creating a commission to investigate facts reflecting upon the integrity of certain civil offieers of this State, enumerating its powers and duties and making an appropriation therefor", the General Assembly by its adjournment having prevented the return of this Bill to the House in which it originated.

I have approved this Bill with the exception of the following item:

> "Section 2. The sum of $20,000 or so much thereof as may be necessary is appropriated to the commission to carry out the provisions of this Act."

The investigation which this Commission is authorized to perform is a laudable one and one which the Commission should pursue diligently to determine the accuracy of the charges and allegations arising out of the tape recordings delivered to the State's Attorney of Sangamon County. I believe that this is a duty imposed upon the General Assembly by Sections 9 and 24 of Article IV and Section 15 of Article V of the Illinois Constitution, which does not require statutory implementation or direction such as this Bill attempts to provide; however, as an indication of my feeling that such an investigation should be made, I am approving this Bill as herein noted. I do not believe that this item veto will seriously hamper the efforts of this Commission to perform its statutory and constitutional duty.

For these reasons, I veto and withhold my approval from the above item.

Respectfully submitted,
(s) *Otto Kerner*
Governor

CHICAGO'S AMERICAN, THURSDAY, JUNE 24, 1965

Text of Secretly Taped Conversations

Appendix 3 (Continued)

Cast of Characters in Document

The following list identifies members of the legislature and other public officials mentioned in the transcript given to the ethics commission last night.

Many are talked about in a complimentary manner, and some are criticized.

The list is for identification purposes, and in no way reflects criticism or judgment of those named.

State Senators

W. Russell Arrington, [Republican]	Evanston
Robert E. Cherry, [Democrat]	Chicago
David Davis, [Republican]	Bloomington
Daniel Dougherty, [Democrat]	Chicago
George E. Drach, [Republican]	Springfield
Morgan M. Finley, [Democrat]	Chicago
John G. Gilbert, [Republican]	Carbondale
Arthur Gottschalk, [Republican]	Chicago
John A. Graham, [Republican]	Barrington
William L. Grindle, [Democrat]	Herrin
Egbert Groen, [Republican]	Pekin
William C. Harris, [Republican]	Pontiac
Fred J. Hart, [Republican]	Strentor
Robert F. Hatch, [Republican]	Chicago
Frank J. Kocarek, [Democrat]	Chicago
Thomas G. Lyons, [Democrat]	Chicago
William Lyons, [Democrat]	Gillespie
Thomas A. McGloon, [Democrat]	Chicago
Samuel L. Martin, [Republican]	Watseka
Frank M. Ozinga, [Republican]	Evergreen Park
Everett R. Peters, [Republican]	St. Joseph
Hudson R. Sours, [Republican]	Peoria
Arthur W. Sprague, [Republican]	La Grange
Paul A. Ziegler, [Democrat]	Carmi

State Representatives

James Y. Carter, [Democrat]	Chicago
Clyde L. Choate, [Democrat]	Anna
Charles Clabaugh, [Republican]	Champaign
Lawrence DiPrima, [Democrat]	Chicago
Paul Elward, [Democrat]	Chicago
Joseph F. Fanta, [Democrat]	Chicago
Thomas J. Hanahan Jr., [Democrat]	Chicago
Harold Katz, [Democrat]	Glencoe
Carl L. Klein, [Republican]	Chicago
John Henry Kleine, [Republican]	Lake Forest
Jack T. Knuepfer, [Republican]	Elmhurst
John W. Lewis, [Republican]	Marshall
Allen T. Lucas, [Democrat]	Springfield
Chester P. Majewski, [Democrat]	Chicago
Mrs. Brooks McCormick, [Republican]	Chicago
Michael H. McDermott, [Democrat]	Chicago
Mary K. Meany, [Republican]	Chicago
John Merlo, [Democrat]	Chicago
Abner J. Mikva, [Democrat]	Chicago
James H. Oughton Jr., [Republican]	Dwight
Stanley A. Papierz, [Republican]	Chicago
John C. Parkhurst, [Republican]	Peoria
Bernard M. Peskin, [Democrat]	Northbrook
William Pierce, [Democrat]	Rockford
William E. Pollack, [Republican]	Chicago
Sam Romano, [Democrat]	Chicago
Michael A. Ruddy, [Republican]	Chicago
Edward J. Shaw Sr., [Democrat]	Chicago
Roy C. Small, [Democrat]	Harrisburg
Frank J. Smith, [Democrat]	Chicago
Ralph T. Smith, [Republican]	Alton
Dan Teefey, [Democrat]	Mt. Sterling
George Thiem, [Republican]	Evanston
John P. Touhy, [Democrat]	Chicago
Raymond J. Welsh Jr., [Democrat]	Oak Park
Carl H. Wittmond, [Democrat]	Brussels
John Clinton Youle, [Republican]	Wayne

State and Local Officials

Joseph E. Knight, Director of Illinois department of financial institutions.

Paul Powell, Secretary of state.

William G. Clark, Attorney general.

Sam Bernstein, Asst. director, department of labor.

Yale Bell, Asst. supervisor of the currency exchange division, Illinois department of financial institutions.

George O. Ibsen, Republican committeeman, 40th ward.

Sinon Murray, Former registered lobbyist for the currency exchanges and former 22d ward Republican committeeman.

Walter [Babe] McAvoy, Former state representative and 15th ward Republican committeeman.

Edward G. Fernandes, State Senate secretary.

Voices on the Tape

The following are descriptions of the persons whose voices are said to be on the tapes:

DWIGHT P. FRIEDRICH: Former Republican senator from 42d district, Centralia. He quit work for the currency exchanges as a lobbyist in April of this year.

DAVID MASLOWSKY: Known as "the grand old man of the currency exchanges." President of the Consolidated Currency exchanges, the largest chain of them in Chicago. A board member of the Chicago Currency Exchange association and registered lobbyist in Springfield for the currency exchanges.

SAM J. KAPLAN: Owner and operator of five currency exchanges, including the Blue Island Currency exchange. President until last May 1 of the Chicago Currency Exchange association.

IRVING GOTTLIEB: Current president of the Chicago Currency Exchange association.

GEORGE CHRISTOPHER: Secretary-treasurer of the Chicago Currency Exchange association.

JOHN BLARE: Lobbyist for the Chicago transit authority.

Appendix 3 (Continued)

Here is the sworn testimony given last night by Norton Kay of Chicago's American to the Joint Senate-House ethics committee.

Kay was invited as a representative of Chicago's American to read into the record the transcript of tape recordings sent to the American.

The conversations, which took place in a Springfield hotel room between April 21 and June 18, 1965, are mainly between Dave Maslowsky, Sam Kaplan, and Irving Gottlieb, who represent the Chicago currency exchanges in Springfield. Some of the tape conversations are phone conversations, some are conversations among people in the hotel room.

Obscenities, and several references of a very personal nature, have been edited out of testimony.

The testimony follows:

Tape of April 21

Dwight Friedrich enters.

DAVE MASLOWSKY: Hello, Dwight. I was a bit concerned, I didn't see you yesterday. You said you were going to be around. Last time we met you suggested that we try to get a postponement on that 759 bill. Well, first . . .

FRIEDRICH: Yeah.

MASLOWSKY: Well first of all you know that Gilbert is not going to call it next week.

FRIEDRICH: I talked to him and he promised me he wouldn't again.

MASLOWSKY: Well I ran into him this morning in the restaurant and he said are you interested in that bill. I said yes. He says now next week it will not be heard. I said, what's beyond next week? He said, well let's take one thing at a time.

Garbled.

FRIEDRICH: This time he was talking like he had a little sense. You know. He had no deals with anybody other than himself, he could have been—he was willing to get a little of it and so on [unintelligible].

MASLOWSKY: This is one thing you can find out. You also have been getting information that he tried Sprague. Sprague wouldn't take it. He went to Gottschalk. Now Sam Kaplan is Gottschalk's ————. He lives in his district.

MASLOWSKY: He had a long talk with Gottschalk—tried to do a little promoting. Now we don't know whether he took it on or not or whether he even plans to take it on or not.

FRIEDRICH: I can find out.

MASLOWSKY: Now, so if you could find out where it's going to now. Is Duffy going to try to get somebody else—he probably is.

SAM KAPLAN: The squeeze on Gottschalk is coming from his employer, Donnelly is getting it from the newspapers, and from Donnelly to Gottschalk. . . . He told me that—Well, I don't think he's got much heart for Thillens to begin with. . . . After last session he was aggravating everybody with that crappy propaganda of his.

FRIEDRICH: Gottschalk gets kinda far out sometimes. I never know what his motivations are but he's got some influence I don't know about. I'm sure he's not sold on Thillens, in fact nobody's sold on him.

MASLOWSKY: Now I'm sure this fellow will try another couple of stunts before he gets done. Now this bill is almost the same as Finley's.

KAPLAN: At the beginning it's almost exactly the same.

MASLOWSKY: Sure, same thing. Copied.

FRIEDRICH: Just remember this, Finley, even tho he may never have designed this, conceived it as a shaker bill, he didn't write it cause he isn't that smart.

MASLOWSKY: No, it had to be written by a lawyer and by a lawyer familiar with this business. Couldn't have been written by just anyone at all.

KAPLAN: We know where it came from.

FRIEDRICH: You talked to O'Brien, huh?

MASLOWSKY: Not as yet.

FRIEDRICH: I can talk to him if you want about Finley. Cherry can't handle him.

MASLOWSKY: McGloon tells me he talked to him on his own, and McGloon is a good friend of ours, and he says he was bitching because he couldn't get a license for a currency exchange. Of course he was unreasonable in his request you see. So McGloon says why don't you give him the—license, you know, that—. First of all, it isn't up to me and number two, I satisfy him and dissatisfy a number of members of our association.

FRIEDRICH: The question is what does he want, that's one thing.

MASLOWSKY: That's right. That's all that counts.

KAPLAN: What does he want?

MASLOWSKY: He wants his license and two others.

FRIEDRICH: That-I don't like.

MASLOWSKY: I'm not going to like it and he's not going to do himself any good. If he could be a successful currency exchange operator, why it would be all right. But he hasn't a chance.

KAPLAN: Don't you think that all this information and both bills had to come, I think the logical fellow to come from was Hatch.

MASLOWSKY: Well, I tell you you've got 759 and you've got this other bill here, and the first two pages are identical.

KAPLAN: Well, you see Hatch comes out of Tenney's firm. The two tie together.

FRIEDRICH: Where did Hatch find it?

KAPLAN: Well ah . . . There'd be a conflict right there. There's a conflict. He's on the bill, isn't he?

MASLOWSKY: Where did you get the bill?

FRIEDRICH: From Finley?

KAPLAN: Probably, you see it must have come out of Tenney's office because this is the type of writing they have and Hatch comes out of the same office.

FRIEDRICH: My inclination is take one more try at Finley and say, gosh, Finley, I thought you were a pro. If he finds out he isn't going to get heard next week it may shake him up a little.

MASLOWSKY: The chairman of the committee. . . . I think we've made a friend there.

FRIEDRICH: The Republican map eliminates me completely, and the Democrat map, I could die of old age in. That's the irony. The new conference committee will have some different people on it and beyond that the Illinois Supreme court may do it and I've already got my foot in the door there because the guy who'll draw the map in my district lives just short way from me and I talked to him this week.

Appendix 3 (Continued)

FRIEDRICH: But I don't know. I could draw the map so you could die of old age or couldn't win.

MASLOWSKY: Sam Martin is a good friend of mine.

FRIEDRICH: Sam Martin and Harris are real good.

MASLOWSKY: Harris is a good friend.

FRIEDRICH: Harris is really a plugger for you, you know that.

MASLOWSKY: O yes, he's a nice fellow.

FRIEDRICH: You can't do anything with Davis—You can't do anything with Groen, I guess Drach's on the committee, you can't really do . . .

MASLOWSKY: No, we can do something with Groen . . .

KAPLAN: Yah, Groen will be with us.

FRIEDRICH: He will?

MASLOWSKY: You see, the setup there is that Irving Gottlieb went to school with Groen.

FRIEDRICH: The main thing is his vote.

FRIEDRICH: Gilbert . . . Ozinga . . . Davis . . .

MASLOWSKY: Davis can't do anything with . . .

FRIEDRICH: Drach . . .

MASLOWSKY: Drach may be all right. . . . I couldn't say.

FRIEDRICH: Groen . . . You say. . . .

MASLOWSKY: O.K.

FRIEDRICH: Harris is all right.

MASLOWSKY: Hart is all right. . . . So is Martin.

FRIEDRICH: Peters.

MASLOWSKY: Peters is all for anybody helping him [chuckles].

FRIEDRICH: Ha, ha, all right. . . . I see. And on the other side of the aisle is Grindle and Lyons.

MASLOWSKY: On the other side of the aisle, I think we have enough friends there.

Telephone rings.

FRIEDRICH: You don't want any conversation with any members yet.

MASLOWSKY: [first part unintelligible]. . . .

You know if he can make a deal that's perfect and if he don't make a deal and you promise him something you're committed.

FRIEDRICH: Yah, that's right. Gilbert is our ace in the hole right now. If he can stall it a couple of weeks, then we can take another look.

(Friedrich leaves.)

MASLOWSKY: How do you like Friedrich? He's a good director, isn't he?

KAPLAN: Very movable and knows where he's going.

MASLOWSKY: You know there is a reason for everything that he's doing and a good reason, too.

KAPLAN: Yeah, he following a pattern. He's smart, he doesn't want you to talk to certain people because it's better that he talk and make some money too. He's in business to make money, I like him.

MASLOWSKY: Let me give you the background. He wants to talk to some of these members and then promises the guy to give him $200. Then he says he gave him $500. What the hell are you going to do about that?

KAPLAN: Yeah. . . . He wants a finder's fee. Ha. Ha.

Tape of Tuesday afternoon, May 4

MASLOWSKY: Did you see me talk to, uh . . .

KAPLAN: Not Robinson?

MASLOWSKY: No.

KAPLAN: Carter?

MASLOWSKY: Carter.

KAPLAN: Naw, I didn't see you talk to him.

MASLOWSKY: You know whatever I do for you fellows, I expect to get somethin'. I said, you always did, didn't yuh? You know last time, I gave him a $1,000.

KAPLAN: Yeah.

MASLOWSKY: To take in on his own [unintelligible]. Yuh know, the —— is so greedy. But in a way, yuh get him off yodr back, yuh know? You keep him on terms that, uh. . .

KAPLAN: That's right. This is a part of the club. . . . It's got to be. I don't know what it's got to be, it's got to be, that's all. If you don't, then you're not a member of the club, that's all. Yuh know, the old man, our Indian friend.

MASLOWSKY: O, yeah . . . John Blare.

KAPLAN: How old is he?

MASLOWSKY: He's about 70 . . . He took a swig of that whisky right on the third floor. If some reporter had been there and snapped his picture, you know . . .

KAPLAN: Yeah, so what? He wouldn't care.

MASLOWSKY: He spends a lot of money. I like when he begins to, to [bail?] me to his situation. After all, he represents the CTA.

KAPLAN: Yeah.

MASLOWSKY: That's a big company and that miscellaneous gets lost somewhere. [Chuckles.]

KAPLAN: Did you say Si was at the party yesterday?

MASLOWSKY: Yeah, Si was [unintelligible].

KAPLAN: O, yeah. Yeah.

MASLOWSKY: Si was there, O'Brien was there, McDermott was there, Arrington was there. Ever meet Ben Schwartz?

KAPLAN: Ben Schwartz? Why would Schwartz be there?

MASLOWSKY: Well, he's a good friend of Si's. Davis was there.

KAPLAN: Dave or Sam?

MASLOWSKY: And Hodgman was there.

(Then much more about Hodgman, much unintelligible.)

GOTTLIEB: Small is the one I was talking about.

MASLOWSKY: One of them is a newspaper man.

GOTTLIEB: Small. That's the one I talked with today and he's the one who said he's got 20 votes. He's Paul Powell's guy.

KAPLAN: I told Ralph he ought to start, uh, the ball rolling at his end.

MASLOWSKY: Well, I dunno, I hope they're not asleep at the switch because . . .

KAPLAN: No, I think the ones who haven't are the ones he's sure of. [Note: apparently, they're talking about the ones who haven't sent in their money yet].

MASLOWSKY: Well, you're not sure of anybody.

KAPLAN: Yeah.

MASLOWSKY: [About branch banking to which currency exchange outfit is opposed]: Clyde told me he was going to help us, and you know we have an understanding about that.

KAPLAN: Yeah.

MASLOWSKY: But he said definitely by tomorrow he's going to have an answer for us—but so far I don't see any answer. He said he warned me that our opposition would come from our leaders in Chicago. He did tell me that. Do you remember my telling you that, or maybe I didn't?

KAPLAN: Yeah, 2 weeks ago.

Tape of Tuesday, May 11

GOTTLIEB: In other words, if you get Grindle, W. Lyons, Kocarek is three, Dougherty is four, Harris is five, J. Graham is six, you have to get Sours as the seventh, and I wouldn't want to rely on that.

MASLOWSKY: Huh?

KAPLAN: Naw, not when his own party votes one way.

MASLOWSKY: Was he hostile?

GOTTLIEB: O, no.

MASLOWSKY: In other words we have to seek another one. Lyons?

GOTTLIEB: He said that we lost Grindle and W. Lyons. That we lost those two but we might be able to get them back.

MASLOWSKY: Who said?

GOTTLIEB: Kocarek.

MASLOWSKY: Well, Kocarek [uninteligible].

GOTTLIEB: Well, all right.

MASLOWSKY: I think he might have invented this [unintelligible].

GOTTLIEB: All right. There's nothing we can do at this point.

MASLOWSKY: At this point, when you've got 7 fellows to bribe you can give each [unintelligible].

Telephone call to Joe Knight at 525-2480, his private number at St. Nicholas hotel. Knight's end of phone conversation is inaudible.

GOTTLIEB: 525-2480. Joe? Irv Gottlieb. Just a minute, the boss wants to talk to you.

MASLOWSKY: Hello, well you know we are in a squeeze here. and that, uh, Thillens, hearing is coming up tomorrow in the industrial committee. I was just wondering if you knew any of the members of that committee so you could advise them what to do.

[Note: Then Maslowsky went over the committee names one by one.]

MASLOWSKY: Well, Dougherty's all right. . . . We'll have a good case. I asked the office to send down Yale Bell to testify to the figures and I'm having Jenner's firm to come in here to present the legal side of it, so that part of it will be all right, but you know those fellows don't vote that way. . . . Yeah . . . Yeah . . . Yeah, Yale will be down and he can testify to those figures and that's all there is to it. Yeah. . . . So you don't know any of those fellows? . . . Uh . . . Uh . . . Yeah. . . . Well this is the Senate. . . . Well, all right then, you'll be at the office in Chicago, we'll let you know. All right, good-by.

KAPLAN: Six-thirty the tickets say, Dave.

[Reference to the Polish party of the House.]

MASLOWSKY: Do they say 6:30? Cocktails are at 6.

GOTTLIEB: Who's bringing the liquor?

MASLOWSKY: I don't know. They're buying their own liquor.

GOTTLIEB: I thought you said we were buying it?

MASLOWSKY: They're buying, we're paying for it, but they're buying it.

KAPLAN: Open bar for cocktails at 6 o'clock. That food'll kill you anyhow.

Phone rings

GOTTLIEB: Hello. Yeah. Hi, Teddy. *[Then Gottlieb talks about developments on Thillens bill SB 1034 and not looking good.]* Yeah, I know he is and Dave just talked to him but then maybe you can help us, you know?

GOTTLIEB [to Maslowsky]: What did Joe Knight say?

MASLOWSKY: Joe Knight says he doesn't know any of them well enough to talk to them.

Then Gottlieb reads off committee to Ted.

GOTTLIEB: Harris? Yeah, Harris, he's O. K. . . . Which one? Well, I wish to hell somebody could get to him. [To others in room] Ted wants to know if anybody knows Cullerton. Who can get to Cullerton?

MASLOWSKY: On Tom Lyons?

GOTTLIEB: Yeah.

MASLOWSKY: I'm going to talk to Clark tonight.

GOTTLIEB *[to Ted on phone]:* Dave is going to talk to the attorney general tonight on him. . . . We are going to the party, the Polish party.

MASLOWSKY: What did he say?

GOTTLIEB: He said he'd talk to the director.

MASLOWSKY: Do you know what I'm going to do? I'm going to see every one of the state officials and show 'em this list and ask them if they can help us on any of them.

GOTTLIEB: Some people think we should have taken it out of committee. *[Note: SB 1034 was assigned to industrial affairs instead of banking committee. It was originally planned to have Gilbert, chairman of Banking, move to take the bill from the Industrial Affairs committee and re-refer to Banking].* Who made that decision not to try it?

MASLOWSKY: Well, you could see, they made the decision on the Republican side because they felt they didn't have the votes. I checked with McGloon and McGloon tells me he doesn't have the votes and he says this so and so and that —— doesn't do the right thing and, uh . . .

MASLOWSKY: I'm not going to say anything because, —— as I told you in the beginning [unintelligible] $10,000 of my own money that the government [unintelligible] . . .

GEORGE CHRISTOPHER: We're not going to get away with it. We've all got problems. To tell you the truth I was so worried about the IRA [IA5?]. Every time you think about it, you say this is the problem, the very problem.

KAPLAN: Did they come to you in the office?

CHRISTOPHER: Not yet.

KAPLAN: They're coming to my place Friday.

MASLOWSKY: In connection with this investigation?

CHRISTOPHER: Well, no.

KAPLAN: I don't think they all understand [unintelligible] . . .

Tape of Tuesday, May 25

MASLOWSKY: Called John Blare at the St. Nicholas hotel. *(Maslowsky then told Sam Kaplan that Blare had said, "Come to my place. Don't stop.")*

MASLOWSKY: He wants, he wants to have the money. . . . next week.

KAPLAN: Who?

MASLOWSKY: Blare. I don't know whether he's the one wants it or the other guy, you know, but we don't care about this [then unintelligible]. . . .

MASLOWSKY: Some way or other. John Blare could see that uh, uh the television show with the M. B. G. A.

KAPLAN: So what?

MASLOWSKY: So he says, why didn't you tell me? You don't know whether he understands what you're saying.

KAPLAN: He's sharp, he's smart. I wouldn't underestimate him at all.

MASLOWSKY: He says that the only thing that worries him about being a go-between is that, uh, he says I won't have anything to show, he couldn't prove to me that he dished.

KAPLAN: Something about like a brother.

MASLOWSKY: I'm your brother, would you doubt your brother? I don't doubt you all.

KAPLAN: The answer is in the final result.

Appendix 3 (Continued)

Tape of Tuesday, June 1, and Wednesday morning, June 2

MASLOWSKY: What about this, uh, Tommy? [Hanahan, Democrat representative from McHenry].

GOTTLIEB: Well, I told you about him. He said he'd uh. . .

MASLOWSKY: Supposed to see you this morning, is he?

GOTTLIEB: No. I talked to him yesterday. He's gonna be a witness.

MASLOWSKY: He'll be a witness if we need him, but, uh, what about some votes? He doesn't have any.

GOTTLIEB: Yeah, I told you he's got Bill Pierce.

MASLOWSKY: He's got Bill Pierce?

GOTTLIEB: Well, I'll tell yuh, he thinks he's got Bill Pierce. Something about a bum check that Bill Pierce [unintelligible].

MASLOWSKY: Yeah, but we don't want to [unintelligible] him. It would look like he was blackmailed, you understand, and they could charge the blackmail to us. He [Hanahan] don't look like a character that is inspiring any respect.

MASLOWSKY: Well, anyway, what does he expect of us, we've got to know that.

GOTTLIEB: The deal was . . .

MASLOWSKY: The deal was unless he gives us the name of those people.

GOTTLIEB: He gave me two names. One of them I told him I'd go along with him, but one of them was [unintelligible] . . .

MASLOWSKY: Yeah.

GOTTLIEB: [Unintelligible] you will take care of?

MASLOWSKY: I wouldn't think I had any [???] from a hole in the wall. I uh . . .

GOTTLIEB: Can't you make a call or something?

MASLOWSKY: Uh, what's his name, Knight is 'sposed to take care of him. You'd better get dressed. We can talk it over. . . .

MASLOWSKY: What kind of a guy is George?

KAPLAN: George who?

MASLOWSKY: Schoenning.

KAPLAN: I don't give him any information, I'll tell you that. Not from me.

MASLOWSKY: O, no, he shouldn't get the key information.

KAPLAN: Yeah, but he gets the information, uh . . . and he's full of [——] too. I tell you why. I was asking him about 939 and he says it's assigned to committee, that Ziegler's got it *[Note: Sen. Ziegler]*, it's out of committee, it's got its appropriation. I didn't believe the ——— —— — ——— and I went back to the postoffice and I called Fernando's office *[Note: Secretary of Senate Fernandes]* to find out where the ——— bill is. 939, the Pierce bill.

MASLOWSKY: Well, we talked to Pierce last night and he [unintelligible].

KAPLAN: When was this? I wasn't there. [unintelligible] Frank Smith?

MASLOWSKY: No, I asked him how you getting along. He says for the time being [unintelligible].

KAPLAN: Pierce is the sponsor of the bill.

MASLOWSKY. That's the House. In the Senate it's somebody else.

KAPLAN: Ziegler.

MASLOWSKY: O, is Ziegler the sponsor of the bill?

KAPLAN: That's right. That's what I'm . . .

MASLOWSKY: It all depends on [unintelligible] Paul Powell wants to [unintelligible]. I understand that they are not [unintelligible].

KAPLAN: Well, I'm afraid of that ——— bill. That bill is still a [unintelligible]. I tried to watch it. Ziegler's got it now. What the ——— is he doing with the bill? The only thing I can think of is that possibly Powell told him to take it. Why would he get on that bill?

MASLOWSKY: Well, that's all right. The question is how much is it worth to [unintelligible].

KAPLAN: Is it possible to talk to Ziegler?

MASLOWSKY: [Unintelligible.]

KAPLAN: You don't want to antagonize Paul. But Powell told us he didn't care. Would Ziegler tell us?

MASLOWSKY: Well the only way you might get information is thru [unintelligible].

KAPLAN: Who?

MASLOWSKI: Nick.

KAPLAN: He's ———. He doesn't know which way is up.

MASLOWSKY: If I got to Ziegler and say you are interested, that means we got to put some money on it, yuh know.

KAPLAN: Well, that's not the point. It's not a matter of money.

MASLOWSKY: We have promised money to . . .

KAPLAN: Yeah, but he's not doing nuthin.

MASLOWSKY: You don't know. He'll say he's doing it. You know how it is.

KAPLAN: If it would work we could give him Jerry's dough. But then you have to be careful of what gets back to Paul.

MASLOWSKY: Yeah.

KAPLAN: That's the worst.

MASLOWSKY: They cheat each other so —— ——— much and nobody assumes responsibility.

KAPLAN: They cheat.

MASLOWSKY: I know that Paul made up a lot of uh, uh, notations. He should have something definite for us Monday.

KAPLAN: Probably adding it up and figuring how much he has that's his.

MASLOWSKY: You see, I wouldn't care if they would take and divide it up the way they should, but they try to cheat each other and we are the victims.

KAPLAN: Well, that's the old army game. . . . You didn't sleep at all yesterday, didn't even lay down.

MASLOWSKY: No. I wasn't satisfied with Paul Powell's, uh, attitude but he seemed to be, seemed to like the idea to be paid in advance 17 more [unintelligible].

KAPLAN: Do you think we should send Jerry to talk to Ziegler? So it'll come from a different source all together? No, Jerry and Powell are in cahoots too. You know how that works, don't you?

MASLOWSKY: Who?

KAPLAN: I'm talking about Jerry, Jerry Robinson and Paul. You know on drivers' licenses, he gets a kickback on 'em. *[Unintelligible—something about ending secretary of state]*. You know who his man is?

MASLOWSKY: Who?

KAPLAN: Who Jerry's contact man is on that?

MASLOWSKY: Who?

KAPLAN: You'd never believe, Clyde Choate. Jerry says he's the worst of the lot.

MASLOWSKY: Well, you can't trust the ———.

MASLOWSKY: [Unintelligible].

KAPLAN: I don't know, he seems to be wishy-washy.

MASLOWSKY: Is he a Republican or a Democrat?

KAPLAN: He's the guy who replaced Babe McAvoy and Babe McAvoy was my, uh . . .

MASLOWSKY: Tell him that Babe McAvoy was a good friend of ours. Well, uh, that's not good.

KAPLAN: Naw, there's no sense in telling him that.

MASLOWSKY: [Unintelligible].

GOTTLIEB: Who you talking about, Carl Klein?

KAPLAN: Yeah.

MASLOWSKY: Your friend. He's a funny guy, you won't get the right time.

GOTTLIEB: That's right, you won't get the right time from him. That's exactly right.

KAPLAN: I don't understand it. He sure kowtows to the bankers.

GOTTLIEB: Say, next Monday, next Monday or Tuesday, is a surprise birthday party for Roy Small.

KAPLAN: For who?

GOTTLIEB: Roy Small.

KAPLAN: Who's he?

GOTTLIEB: And the new guys, a lot of the new guys are gonna be there.

MASLOWSKY: The new guys we can't, you can't do business with them.

GOTTLIEB: I've been invited.

MASLOWSKY: All right, that's good, that's fine.

KAPLAN: We can try to do business with them. There's a couple of the new guys that are with us. A couple of guys we met thru Irv that are, uh. . . . listen, we can try.

MASLOWSKY: These fellows don't know what it means to go unless somebody [unintelligible] to vote for you one way or the other. Well, I'll go downstairs.

KAPLAN: I've got to get ahold of Frank Smith, too.

GOTTLIEB: Do you know what's wrong with the new guys?

KAPLAN: They're lost.

MASLOWSKY: They're afraid.

GOTTLIEB: Well, they're not loyal or something. They don't know what tuh . . .

MASLOWSKY: Nah, they tell you one thing and then out on you.

Tape of June 2, 1965, about 4 p. m.

Dave Maslowsky puts in call to John Blare, lobbyist for the CTA, at St. Nicholas hotel. Blare's end of phone conversation is inaudible.

MASLOWSKY: St. Nicholas hotel . . . John Blare, please. Hello, John. Did I wake you up? O, I see. Well, you know this afternoon after you left, right after you left, Paul Powell called me in and I found Choate there too, and we went over the whole thing. He said there were too many prices quoted, you know. [Chuckles]. So I says well, don't worry, I'm going home and we'll make good whatever—we're not going to talk at all about it to anybody, you know. He says you're in good shape so I thought I'd just let you know. I'll have to remember you as long as I live, you know that. . . . Huh? Yeah . . . Yeah, he was there, he was in his office and he sent down his man to bring me up. So I went there right away with the man and we went right in. . . . No, he didn't say anything. . . . Yeah. . . . He's trying to do the right thing. . . . Yeah. . . . The only thing I have left over on my mind now, does Curly Harris know where we stand now, is it clear to him, because we gave him a job to do, we left him no instructions, huh? . . . Yeah. . . . Yeah. . . . Yeah, sure. . . . O, yeah, I don't mind that at all and uh . . . that's really funny, huh? [Chuckles] . . . Yeah. . . . Yeah. . . . Yeah. . . . Yeah. . . . Yeah. . . . Yeah, sure. . . . Yeah, you're right. All right, John, I'll see you. . . . Yeah. . . . I'll see you by the train, huh? Yeah. . . . Good-by.

MASLOWSKY: Uh, what about Klein?

GOTTLIEB: I did not talk to him

MASLOWSKY: Well, I mean, what is, uh, what is our position with Klein?

GOTTLIEB: Well, I think we should talk to him. He told somebody he hadn't made up his mind.

MASLOWSKY: He's, uh, to me he's just a wise guy, you know, huh? Don't you think he's that kind of a guy, you know, a wise guy?

GOTTLIEB: I think he started out with me a couple of weeks ago on this how many trucks do they get. I said what difference does it make how many trucks they got. They got 1,056 stops. The other people have 78 stops. What difference does it make how many trucks? If they have one truck and make 1,056 stops, they've got the business covered.

GOTTLIEB: I know what's wrong with Klein. I think I told you that I overheard a conversation between Duffy *(Note: Tom Duffy, lobbyist for Thillens)* and Pollack said I've got Klein and Ralph Smith. Remember I told you that last week.

KAPLAN: What's wrong with him? Smith has always been our friend.

MASLOWSKY: He's been our friend, but he sells out, the — — — — —.

GOTTLIEB: I think I can get Ralph Smith thru Friedrich *(Note: Former Sen. Dwight Friedrich)*. They're buddies.

MASLOWSKY: We don't need him unless we go on the floor.

MASLOWSKY: You know he [Blare?] had wittmond *[Note: Rep. Carl Wittmond]* the other night, came up to see him today and, uh, he told Wittmond—he says the — — — — — is a millionaire—but he told him, he says there'll be a couple of hundred, and he says, good, that's very good [Chuckles]. If you were a rich man, would you really want something like this?

MASLOWSKY: What you may as well get used to is that every time you have a legislative session, you come prepared with about $50,000 and if you haven't got it. . . .

KAPLAN: Then forget it. . . .

MASLOWSKY: And if you do have it, nobody's going to bother you either—but when they know that you're poor and decrepit they'll jump on you.

GOTTLIEB: Did I tell you I was invited to a party Monday?

MASLOWSKY: Yeah, last Monday?

GOTTLIEB: This Monday.

MASLOWSKY: This coming Monday?

GOTTLIEB: Yeah. It's with a bunch of those new guys.

MASLOWSKY: That's all right. It won't hurt you. but you got to be careful with them. . . . The old guys, they'll never betray you.

MASLOWSKY: You know, you fellows are resentful of Houston. But let me tell you something, you're no less resentful than I am but I figure the — — — — — can do you good, he can do you harm, so we might as well be good with him.

KAPLAN: O, yeah. I'm not resentful of him. I just say you've got to be careful.

MASLOWSKY: O, yeah, you've got to be careful with him.

MASLOWSKY: I talked to Ray, uh, Ray, uh, the fellow that's going to speak for us, Ray Welsh. I told him about what we are doing. We're doing a lot of things. This Thillens doesn't do any of those things. Then I told him about the, uh, stamps and all that, and sure this impresses people.

GOTTLIEB: I just thought about something on that — — — — party. Maybe that, you know what George Schoening, he said that, I fixed you up to go to that party, he says, you'll just have to bring a couple bottles of Scotch. I'm just wondering if he's setting me up on that — — — — thing, if he expects us to pick up the tab for that — — — — party.

MASLOWSKY: Sure he does. Did you ever see a bunch of legislators that paid?

[Note: The first part of this is unintelligible because of drawers closing, etc.]

MASLOWSKY: That'll mean $30,000. I'll bet this — — — —[Thillens?] will pay no more than $50,000. But you'll see, all these guys that are working on the fringes, they'll all have something come of it.

KAPLAN: You know, I was thinking, does it pay for us to have this guy testify against the bill if we don't need him?

MASLOWSKY: What guy?

KAPLAN: This guy from labor because you might jeopardize his chances of being reelected. Hanahan, or whatever his name is, he's supposed to testify that labor doesn't want the bill.

MASLOWSKY: Well, only if somebody makes the claim that labor wants it.

Tape of Monday, June 7, at about 12:50 p. m.

Maslowsky phoned STate 2-5800 in Chicago, Samuel Bernstein, not in. Then phoned KEystone 9-4210, in Chicago, Mr. Ibsen [Note: KE 9-2080 reports that this is the number of George D. Ibsen, 4210 N. California av. Ibsen is Republican committeeman of the 40th ward]. Conversation with Ibsen follows:

MASLOWSKY: Hello, how you doin'? . . . Yeah, one time . . . Yeah . . . Yeah . . . Yeah, I have a couple of guys . . . . Yeah . . . Yeah . . . You don't talk to Mr. Waner, huh? . . . Yeah . . . Yeah . . . Yeah, I know him. He looks like a Polish nobleman of the 17th century. Yeah . . . It's not out of the way for me to talk to him, is it? . . . No . . . No . . . He knows it wasn't my fault . . . Yeah . . . Yeah . . . Well, all right . . . Huh? . . . All right, thanks . . .

MASLOWSKY [to Kaplan]: Talking about Papierz. Waner is his committeeman. He says just tell him that, uh, I should tell him that, uh, it's all right for him to vote this way and I hope he does and that, uh, then we owe him $200 worth of tickets for the golf party and of course we know the ——— ——— ——— ——— will keep it. So prepare yourself to be circumcised and don't—say, let's go down and get a bowl of soup.

MASLOWSKY: I want to get over there [note: to Statehouse] if there's any chance to see Paul Powell. Maslowsky calls Frank Smith, room 617, Leland hotel, invites him down to "have a bowl of soup with us."

Monday, about 4:50 p. m.

GOTTLIEB: O, ..., what's that?

MASLOWSKY: The thing with Powell is inconclusive . . . He told him [Blare] he complained about us talking to different people about money but that's all right. He [Powell] told him [Blare] to let me come in as of now and talk to Paul Powell about the final arrangements. So far everything is running O. K., but while I was standing at the, uh, at the stand, Pollack came up to me and he said, you know that the committee hearing will be held a week later . . . Well, this fella [Blare?] tells me not to let him hold it a week later unless you tell this Peskin, chairman, that you've summoned the witnesses, your witnesses are here, and you want them to be heard. Then if he wants to hear them, it's all right. We'll have the advantage that way.

KAPLAN: You mean a pro and con thing?

MASLOWSKY: You know very many hearings are held on the basis of proponents and opponents. We are opponents of the bill, we have our witnesses, we want to testify. And if he [Thillens] doesn't have the witnesses, it's too bad, he can bring them in the following week and have them testify, and John thinks we'll come out better this way.

KAPLAN: Powell's complaint is the same thing as before.

MASLOWSKY: He says he didn't like the idea of them telling him that, uh, that Shaw will have the distribution of the money. I guess they don't trust Shaw.

GOTTLIEB: It's our committee.

KAPLAN: You don't know. All the newspapers will start blasting and a lot of things can happen.

GOTTLIEB: I say, it's our committee.

MASLOWSKY: Yeah. He's not going to take a vote after this first hearing.

GOTTLIEB: I know he's not. But if it's our committee, will it be our committee in two weeks?

MASLOWSKY: Listen, don't ask me questions that you know I can't answer.

KAPLAN: So what's the outcome with Teefey?

MASLOWSKY: Huh?

KAPLAN: What's the outcome with Teefey?

MASLOWSKY: That's Paul Powell. Well, I'll see him tomorrow. He'll have a complete list of this.

GOTTLIEB: Our attitude has got to be one of humility and pleading. After all, our businesses are at stake here. We don't want to let anything go by. We're ready today.

MASLOWSKY: You're talking as if you were talking to gentlemen and you're not talking to gentlemen. They're ——— ——— ——— every one of them.

Tape starting late in afternoon of June 8

MASLOWSKY: I wonder where the old man got his information about that thing at the lake. . . . I told him it was just a little legislative gossip.

Maslowsky calls John Blare at the St. Nicholas hotel.

GOTTLIEB [to Maslowsky]: Who did he get? Who did he get? Somebody else?

MASLOWSKY: He got, uh, Mike Ruddy . . . You see, some of these guys have been ticketed six times already.

MASLOWSKY: ——— ———. I never thought this thing was going to drag us into so much money.

KAPLAN: Did you stop to figure out what it was yet?

MASLOWSKY: Huh?

KAPLAN: Did you stop to figure out what it was yet?

MASLOWSKY: No, we can't figure it as yet, but it will be heavy.

One tape labeled June 7-June 8

Gottlieb talks about party last night, June 7, the surprise birthday party for Rep. Roy Small referred to on tapes last week.

GOTTLIEB: Did you ever hear of a gal named Hope McCormick?

KAPLAN: Yeah.

GOTTLIEB: ———. And Clabaugh, you know Clabaugh.

MASLOWSKY: Yeah, he's a ———.

GOTTLIEB: Oh, is he a ———?

MASLOWSKY: What the ——— you want to do with those kinda guys for, I don't know. [Then something unintelligible.]

GOTTLIEB: There were some nice people there, too, real nice people. Sam Romano was there too. Larry DiPrima was there too. Chester Majewski was there too.

Tape of Wednesday, June 9, from about 3:25 to 5 p. m.

GOTTLIEB: Do you say you don't wanna go to this House dinner next Tuesday? Is there a reason?

MASLOWSKY: The reason is that, uh . . .

KAPLAN: We're sick of dinners.

GOTTLIEB: No. No. What's the reason?

MASLOWSKY: The reason is that, uh, they don't want us to be, like Choate says, here, all over the place.

GOTTLIEB: If you don't want to go, fine, but I'm gonna go, and you can go too . . . now wait a minute, I have an arrangement, I have an arrangement, to have Katz sit at our table.

MASLOWSKY: ——— Katz.

KAPLAN: I knew that . . .

MASLOWSKY: I wouldn't sit with him at a table.

KAPLAN: Who needs him?

GOTTLIEB: Who needs him? Sure, you don't need him this year, you may need him another year.

MASLOWSKY: He won't be here another year.

GOTTLIEB: If you can get a good guy on your side, would that be a benefit?

MASLOWSKY: No . . . it wouldn't be a benefit because the ——— — — ——— would never do the right thing. . . . He just doesn't think that you people think straight. That's what I find wrong with guys like Mikva.

Kaplan suggests bringing "wives and kids" down for the House party.

GOTTLIEB: ———, you invite a guy like Sam Romano, Larry Di Prima, and those guys . . .

MASLOWSKY: *[After more argument about inviting Katz]:* DiPrima will come back home and he'll tell Capuzi, you know Dave and their crowd, they've taken on all these intellectuals.

MASLOWSKY: Don't forget, you're president and what you order goes . . . but of all the ——— around here you can pick out, you got this guy.

GOTTLIEB: You know at the last dinner I went to I sat with George Thiem and Kneupfer. . . . So how ——— can you get? There are two ——— you couldn't get a vote for for anything.

MASLOWSKY: Well, who told you to sit with them?

GOTTLIEB: It just happened that way.

MASLOWSKY: That shows your cosmopolitan nature, that you can sit with ——— and get along with them, that's right. But that doesn't mean you have to hobnob with them.

Tape of Monday June 14. Starts about 5:15 p. m.

MASLOWSKY: As far as the subcommittee is concerned, I can breach the subject to Paul Powell and see what he thinks of it. Altho, uh, if you can beat 'em you don't want a subcommittee, do yuh?

Call John Blare at St. Nicholas.

MASLOWSKY: Hello, Mr. Blare, how yuh doin'? Yuh, all right. Say, did you hear any more?

BLARE: No.

MASLOWSKY: Nuthin, huh?

BLARE: No more.

MASLOWSKY: Say, my boys here think we ought to have a subcommittee. What do you think, huh?

BLARE: I think that's not for us to decide.

MASLOWSKY: That's right.

BLARE: That's up to the guy down on the 2d floor . . . *(unintelligible thereafter. Reference obviously to Paul Powell as "guy on second floor.")*

MASLOWSKY: He [Blare] says if you start into Paul Powell objecting, he'll say are you gonna let me run it or do you want to run it, you see, which is right. Besides Powell is going to give you a list of what he's got, gonna give you a list, say, with 18 or 20 names that he's got. He's got to give you the list in order to expect compensation on it. So on that list you'll be able to judge for yourself on a subcommittee. I think if we can get a victory . . .

MASLOWSKY: Touhy intends to vote for this bill [*Note: Thillens bill, and Maslowsky means to vote against the bill; see below).*

KAPLAN: O.

MASLOWSKY: Yeah. That'll make a difference. As a member of the committee.

KAPLAN: Well, that's good.

MASLOWSKY: Well, that's what he told me, what Touhy told me, he says he'll vote for it but he says he wants Powell to call him about it.

GOTTLIEB: You say Touhy's gonna vote for this?

KAPLAN: Yeah.

GOTTLIEB: When did that come up?

MASLOWSKY: Huh? Well if you'd listen to us instead of to your girl friend you'd be O. K. I told it to you guys.

GOTTLIEB: You didn't tell us. I never heard the story before.

MASLOWSKY: Yeah. Well, he said, John says about voting for this thing. He's says I'll vote for it. I intended to vote for it.

MASLOWSKY: Say, Iry. . . .

GOTTLIEB: Yeah. . . .

MASLOWSKY: I want you to ingratiate yourself with that —— —— —— Peskin, you know, and ask him to vote for it and, uh, he says that he won't. And you mustn't tell anybody that we are short, you understand. We're not actually short. They count 18, see, and that doesn't include the. . . .

KAPLAN and GOTTLIEB: The officials.

MASLOWSKY: Not all officials but they figure on Choate and on Touhy.

GOTTLIEB: You mean Choate will also vote for the bill?

MASLOWSKY: Well, why do you ask that to me when he should? Why shouldn't he vote for it? He's not antagonistic and he's got an interest in it.

GOTTLIEB: Well now, wait a minute. This is confusing. You mean he'll vote against the bill?

MASLOWSKY: Yea — I don't mean that he'll vote for it.

GOTTLIEB: Now what about Touhy?

MASLOWSKY: Touhy made it the condition that, uh, Paul Powell should call him up. So Paul Powell probably will. You understand, what's working in your favor is something tremendous, even this money because they can make $10,000, that's $5,000 for each of them.

KAPLAN: All right, I understand.

GOTTLIEB: Say no more.

MASLOWSKY: And there's another maybe 6 to 10 for the two of them, huh?

KAPLAN: Yeah, you're right.

MASLOWSKY: That's five, you see. So they're going to try to break their necks.

KAPLAN: Right.

Tape of June 15, Before Breakfast

MASLOWSKY: I'm going to call Si [Note: Si Murray?]. to call Eddie Barrett on those two.

KAPLAN: Maybe you'd better wait tho, Dave.

MASLOWSKY: Huh? What?

KAPLAN: Wait until you get your list from Feefee.

MASLOWSKY: That ——— ain't gonna give me the list until tonight. Yuh know, he don't get up early like us, he gets up 11 o'clock.

MASLOWSKY: A fellow like Si, now I can get him at home, I know where I can get him. I can phone him.

GOTTLIEB: I think you should consider whether you ought to call up.

MASLOWSKY: I have considered it. You see . . . Those are two fellows that should be ours.

KAPLAN: Who are they?

MASLOWSKY: Merlo and uh, and uh, fellow from Oak Park, Welsh, Ray Welsh.

GOTTLIEB: You mean Ray Welsh isn't for . . .

Appendix 3 (Continued)

MASLOWSKY: You never know with those guys. The last time I was with them, I told them and they don't know whether they want to go or don't want to go.

KAPLAN: Well, Ray Welsh is supposed to speak.

MASLOWSKY: The story is that they are together. If one goes, you get the other and I'm going to ask Ray Welsh if I can.

KAPLAN: That's a new one. I didn't know anything about Welsh. I thought he was with us.

GOTTLIEB: So did I.

MASLOWSKY: Yeah, I think they expect them to be.

GOTTLIEB: You didn't hear anything?

MASLOWSKY: No, I didn't, but I . . .

GOTTLIEB: [Chuckles] You're making up something, you see.

MASLOWSKY: I'm not making up. I'm not looking for trouble. You see this is a very . . . they both work for Eddie Barrett's office.

Tape of June 16, before breakfast

GOTTLIEB: Say, Dave. You won't yell at me if I tell yuh who I was with last night . . . listen to this . . . John Henry Kleine, Clint Youle, Sam Oughton, Hope McCormick, Parkhurst, Mrs. Meany. . . .

MASLOWSKY: All the rubbish.

GOTTLIEB: I said let's get the hell out of here. How did I get mixed up with all these ——— ———. Republicans, especially the worst kind.

MASLOWSKY: A good portion of the expenses is Powell and Choate, and I love it when they tell me they'll just leave it to my judgment.

KAPLAN: Yuh never made any arrangement with them yet?

MASLOWSKY: Oh no, no, they want to see how the thing runs first. John Blair, he's got some super-secret for me.

GOTTLIEB: And he won't tell you, huh.

MASLOWSKY: He won't tell me until this morning.

KAPLAN: His super-secret is he's gonna give yuh back all your dough [laughter].

GOTTLIEB: No, No, I think it's Touhy's gonna vote for it.

MASLOWSKY: Yeah, yeah, I think he will. It wouldn't look good for him not to vote. Besides he wants to maintain relations.

After dinner.

MASLOWSKY: What they're going to do, they get 20 votes and they'll charge us 20 times that, yuh know. Altho there were several votes there that didn't get paid

Tape of June 18, after dinner

KAPLAN: I'm sure.

MASLOWSKY: And this is where their profit comes in.

KAPLAN: Yeah. Of course they're not going to give Elward anything, they won't give uh [unintelligible].

MASLOWSKY: And some of them they cheat.

Tape of Friday, June 18, before breakfast

MASLOWSKY: Allen Lucas is going to speak on our side if the ——— —— —— ——— gets up in time.

GOTTLIEB: Fanta's gonna talk.

MASLOWSKY: We'd be better off if he didn't talk . . . everybody takes him as a . . .

GOTTLIEB: A clown.

MASLOWSKY: A comedian you know. Don't forget, he's on my steady payroll too. Lucas is going to speak for us. Paul Powell told him. It's good but it's another fee.

GOTTLIEB: All right. I don't want to hear any more about that.

MASLOWSKY: You wait till it's time for settling up. You'll wonder where the hell does it all comes from. I called John Lewis in his room, yuh know. . . . He says, don't worry, you don't need any pamphlets for me. He says I'm ready for it any time. . . . Yuh know [voice drops very low] we gave him $500 when he was speaker. These fellows remember. There are a few ungrateful sons of bitches, tho.